

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

CALVIN CAYER	§	
VS.	§	CIVIL ACTION NO. 1:22cv201
WARDEN, USP BEAUMONT	§	

MEMORANDUM ORDER OVERRULING PETITIONER’S OBJECTIONS AND
ADOPTING THE MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION

Petitioner Calvin Cayer, an inmate confined at the United States Penitentiary located in Beaumont, Texas, proceeding *pro se*, brought this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

The Court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The magistrate judge recommends granting the respondent’s motion for summary judgment and denying and dismissing the petition.

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record and pleadings. Petitioner filed objections to the magistrate judge’s Report and Recommendation. This requires a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b).

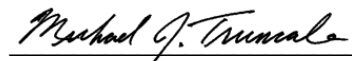
After careful consideration, the Court concludes petitioner’s objections should be overruled. As set forth in the Report, petitioner has failed to show either a constitutional violation or prejudice. Therefore, petitioner’s grounds for review are without merit and fail to provide a basis for federal habeas corpus relief.

O R D E R

Accordingly, petitioner's objections are OVERRULED. The findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is ADOPTED. It is

ORDERED that the respondent's motion for summary judgment is GRANTED. A final judgment will be entered in this case in accordance with the magistrate judge's recommendations.

SIGNED this 26th day of March, 2025.



Michael J. Truncala
United States District Judge